

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 806 KAR 17:270
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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation This administrative regulation designates the claim forms and records required to be maintained for telehealth claims.

(b) The necessity of this administrative regulation: KRS 304.2-110(1) authorizes the Commissioner of Insurance to promulgate administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code as defined in KRS 304.1-010 through KRS 304.99-154. KRS 304.17A-138(4) requires that the Department promulgate an administrative regulation in accordance with KRS Chapter 13A to designate the claim forms and records required to be maintained for telehealth claims.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation designates the claim forms and records required to be maintained for telehealth claims pursuant to KRS 304.17A-138(4).

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation designates the claim forms and records required to be maintained for telehealth claims pursuant to KRS 304.17 A-138(4).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendments to this administrative regulation are technical in nature. Forms incorporated in this administrative regulation have been amended by the third parties, whom own the rights to these documents, and thus, the Department is incorporating the most recent editions of the reporting forms.

(b) The necessity of the amendment to this administrative regulation: The necessity of these amendments are to create efficiency and uniformity in drafting of all administrative regulations and to be sure the most relevant forms are incorporated for entities to report properly.

(c) How the amendment conforms to the content of the authorizing statutes: KRS Chapter 13A sets forth the formatting and drafting requirements for administrative regulations. The amendments to this regulations abide by those requirements.

(d) How the amendment will assist in the effective administration of the statutes: KRS 304.17A-138(4) requires that the Department promulgate an administrative

regulation in accordance with KRS Chapter 13A to designate the claim forms and records required to be maintained for telehealth claims. The amendments ensure the administrative regulation conform to the requirements set forth in KRS Chapter 13A.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All insurers issuing health benefit plans in the state of Kentucky, all health care providers and dentists submitting telehealth claims to insurers issuing health benefit plans.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: Regulated entities will be required to use the incorporated forms to report claims in regards to telehealth records.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: There is no expected cost associated with this regulation.

(c) As a result of compliance, what benefits will accrue to the entities: The regulated entities will have properly recorded claims and meet the requirements set forth in this administrative regulation and the authorizing statutes.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Implementation of this amendment is not anticipated to have an initial cost on the Department of Insurance.

(b) On a continuing basis: Implementation of this amendment is not anticipated to have an on-going cost on the Department of Insurance.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Department will use funds from its current operational budget to perform the tasks necessary.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

(9) TIERING: Is tiering applied? Explain why or why not. There is not tiering applied because this administrative regulation applies to all insurers issuing health benefit plans in the state of Kentucky, all health care providers, and dentist submitting telehealth records for reimbursement.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

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(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department as the implementer.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 304.2-110(1), 304.17A-138(4)

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation. There is no fiscal impact known to be associated with this administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue is expected to be generated.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue is expected to be generated.

(c) How much will it cost to administer this program for the first year? No cost is expected.

(d) How much will it cost to administer this program for subsequent years? No cost is expected.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: